



Preliminary Decision Memo
2021 Upper Little Deschutes Roadside Hazardous Fuels Reduction Project
USDA Forest Service
Crescent Ranger District, Deschutes National Forest
Klamath County, Oregon

The Crescent Ranger District is proposing hazardous fuels reduction work along several Forest Service roads within the District (approximately 383 acres). It would be 100-foot buffer (50 feet either side of road). This will reduce hazardous fuels loads and create defensible space that could be used as firebreaks in case of a wildfire.

These roads include Forest Service (FS) road 5825 from Highway 58 to the junction with FS 5830 road. The 5830 road from the 5830/5825 junction to the 5830300 junction and the FS 5830300 road to its terminus (see Figure 1).

There is a need to maintain the open condition, minimize fuel loading, and create defensible space by a combination of mowing, masticating, and/or underburning along strategic roadsides in the District.

Proposed Action

The proposed action would treat 50 feet either side of the road with a combination of fuels reduction techniques such as (but not limited to) including thinning, mowing/mastication, prune, handpile, grapple pile, and pile burn.

- Thinning would occur in conifers 7 inches DBH and under. No trees greater than 7 inches will be cut unless the tree is deemed a hazard to safe operations.
- Thinning will occur by hand or with mechanized equipment such as mowers, masticators, or feller bunchers.
- Brush within the project area may be cut or masticated to further promote fuels reductions.
- Only hand equipment chainsaws, axes, pulaskis, etc. may be used for felling in identified riparian areas.
- Remaining stump heights will be cut as low to the ground as possible.
- The cutting and piling of down and dead material may take place to reduce existing fuel loading.
- Down and dead material over 12 inches DBH will be left to promote wildlife habitat.
- Piling of cut materials will occur by hand or with mechanized equipment.
- Pile burning will occur in the Fall, Winter, or Early Spring under elevated moisture conditions (October – April)

Location:

The project is located in the southwest portion of the district west of Hwy 97, southwest of Hwy 58. The units are located in Klamath County, Oregon, with a legal description of:

T25S, R6E, S25

T25S, R7E, S2, 10, 11, 16, 17, 18, 19, 28, 29, 30, 32, 33, 34, 35

T26S, R7E, S4, 9, 10, 11, 14, 15, 21, 22, 28, 29, 30, Willamette Meridian (Figure 1).

Reasons for Categorically Excluding the Decision

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories listed in 36 CFR 220.6(e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

Category of Exclusion

The appropriate category of exclusion is found in the Forest Service National Environmental Policy Act (NEPA) regulations at 36 CFR 220.6(e)(6). This category is appropriate because the project involves *“Thinning or brush control to improve growth or to reduce fire hazard including the opening of an existing road....”*

Relationship to Extraordinary Circumstances

In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the resource conditions identified in FSH 1909.15 Section 30.3(2) must be made. The following is the list of the potential effects to the resource conditions from the project activities.

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

- Wildlife: It is anticipated that this project would have “No Effect” to any threatened or endangered species and “No Impact” to any R6 Sensitive wildlife species. A Biological Evaluation (BE) would be completed before issuance of a final Decision Memo to document any potential effects, and any design criteria or mitigation measures will be added to that decision.
- Plants: It is anticipated that this project would have “No Effect” to any threatened, endangered, and “No Impact” R6 Sensitive plant species. A Biological Evaluation (BE) would be completed before issuance of a final Decision Memo to document any potential effects, and any design criteria or mitigation measures will be added to that decision.
- Fisheries: It is anticipated that this project would have no disturbance or “No Effect” to fisheries as a result of this decision.

2. Flood plains, wetlands, or municipal watersheds

Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of floodplains. Executive Order 11990 provides direction to avoid adverse impacts associated with destruction or modification of wetlands. The project is consistent with both executive orders.

- This project would have no effect to either floodplains or wetlands.
- There would be no adverse effects to a municipal watershed because the project is not located within or adjacent to a municipal watershed.

3. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas

The proposed project has units (53 acres) through the Little Deschutes Wild and Scenic River corridor along the Forest Service 5830000 and 5830300 roads. There is fuels reduction work proposed for 50 feet either side of centerline to help provide a fire /fuel break to protect the river environment (MA-17-5; LRMP at 4-157). In addition, this project would be consistent with the Little Deschutes River Wild and Scenic Management Plan where *‘fuel loadings should be reduced wherever possible to reduce imminent susceptibility to catastrophic wildfire and ‘Vegetation management activities will aim to maintain the naturalness of the area...and reduce the risk of fire....’¹*

The project area is not located within any Wilderness, Wilderness Study Areas, or National Recreation Areas. The closest Wilderness Area is the Mt. Thielsen Wilderness which is approximately 3/10 mile to the south. There is no activity in the wilderness.

¹ Big Marsh Creek and The Little Deschutes River Wild and Scenic Rivers Management Plan, January 2001 (at 12).

The proposed project has units (46 acres) in the Cascades National Recreation Area (OCRA). It is consistent with MA14-21 '*Prescribed fire is preferred method...may be treated by other methods if necessary to meet project objectives.*' (LRMP 4-147 and Little Deschutes-Big Marsh Zone-Zone 4, Appendix 4-43). All pile burning operations will follow the state of Oregon Smoke Management Program requirements.

4. *Inventoried Roadless Areas (IRA) or Potential Wilderness Areas*

The project is not located within any Inventoried Roadless Areas (IRA) or potential wilderness areas. The nearest Inventoried Roadless Area is the Mt Thielsen IRA, approximately five miles to the southwest of the closest unit. The only potential effect could be from smoke and prescribed fire managers would use smoke management forecasts and adhere to the State of Oregon Smoke Management Plan in order to minimize smoke from fuels reduction activities. The project is not within a potential wilderness area, nor will it affect any of the criteria for inventorying potential wilderness (ie. – no roads will be built and no timber will be cut).

5. *Research Natural Areas*

There are no existing or proposed Research Natural Areas (RNA) in or adjacent to the project. The nearest Research Natural Area is the Cannon Wells RNA on the Fremont-Winema National Forests, which is approximately twenty-one miles to the northeast.

6. 7. *American Indian and Alaska Native religious or Cultural Sites, Archaeological Sites, or Historic Properties of Areas*

Consultation for this project would be covered under the 2003 Programmatic Agreement for the State of Oregon and a final determination of compliance with Section 106 of the National Historic Preservation Act, including any required field surveys, would be completed before issuance of a final decision memo.

Based on the conclusions regarding the effects to the resources and conditions listed above, I will determine whether the project will have no extraordinary circumstances that may result in a significant direct, indirect, or cumulative effect on the quality of the human environment.

Public Involvement

Public scoping and Tribal consultation are being conducted in conjunction with the release of this Preliminary Decision Memo.

Consistency with Deschutes Land and Resource Management Plan

This project will be consistent with direction found in the *Deschutes National Forest Land and Resource Management Plan and Record of Decision 1990* (Forest Plan), as amended by the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan, 1994). Biological Evaluations are being prepared for Sensitive, Threatened, and Endangered animal and plant species and will be located in the project file at the Crescent Ranger District. Also, the project will meet all of the applicable Project Design Criteria from the 2014 Programmatic Biological Assessment for central Oregon.

Scenic Views

There is a small (1.3 acres) treatment area along the FS 5825000 as it turns south off of Highway 58 that are considered Scenic Views "Retention Foreground" or "Partial Retention- Foreground" where management activities are evident, however, they must remain visually subordinate to the natural landscape (LRMP 4-122).

Consistency with Northwest Forest Plan

This project will be consistent with direction found in the *Deschutes National Forest Land and Resource Management Plan and Record of Decision 1990* (Forest Plan), as amended by the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan, 1994). Biological Evaluations are being prepared for Sensitive, Threatened, and Endangered animal and plant species and will be located in the project file at the Crescent Ranger District. Also, the project will meet all of the applicable Project Design Criteria from the 2014 Programmatic Biological Assessment for central Oregon.

Units inside the Northwest Forest Plan boundary will apply the Survey and Manage species list in the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*.

Implementation

When the Decision Memo is signed, project implementation can begin once final approval is received from the Crescent District Assistant Fire Management Officer (AFMO), Fuels. The following project design features will be included to meet project objectives and/or to reduce or minimize unwanted effects:

Cultural

- If, prior to, or during construction work, items of archeological or historical value are reported or discovered, or an unknown deposit of such items is disturbed, the contractor/operator would immediately cease activities in the area affected. The Forest Service would be notified and ground disturbing activity would not resume until written authorization is provided.
- Should human remains be encountered, the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3001 et seq. [Nov. 16, 1990] and its regulations (43 CFR §10) would apply.
- For any ground disturbance work- if imported fill is utilized it must be from a culturally sterile source (meaning there is no possible contamination from fill originating from another buried archaeological site).

Botany

- Equipment Cleaning - Actions conducted or authorized by written permit (contracts) require cleaning of all heavy equipment (i.e., bulldozers, skidders, and other construction equipment) prior to entering Forest Service lands. Equipment will be inspected on-site by the Forest Service project manager or the District botanist prior to start of work.
- All gravel, fill, sand stockpiles, quarry sites and borrow materials used for this project will be inspected for invasive plants before such material is transported and used within Forest Service lands. Any infested sources must be treated before use of pit material. Only gravel, fill, sand, and rock that are judged to be weed-free by District or Forest weed specialists will be used for this project (Requirement R6 Standard #7).

Soils/Hydrology/Riparian

- All refueling and storage of equipment will occur more than 25 feet from water.
- Equipment operators/operations will have a spill kit on site on site of sufficient size to clean up and prevent further contamination.
- Forest Service will be informed of any observed petroleum spills.

Best Available Science and Conclusion

My conclusion will include a review of the record of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.



How to Comment and Timeframe

Your comments about the proposed actions or other concerns are welcome and would be considered in the decision. They would be most helpful if received by February 22, 2021. Comments can be submitted to the address on the header of this letter, or by email to: comments-pacificnorthwest-deschutes-crescent@usda.gov. Written or oral scoping comments should include your name, address, and telephone number (if available). Include the title of the project (2020 Upper Little Deschutes Roadside Hazardous Fuels Reduction Project).

Comments received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered; however, anonymously will not provide the Agency with the ability to provide the respondent with the subsequent environmental documents.

This letter/notice also serves as an invitation to participate in the Forest's National Historic Preservation Act, Section 106 process for the project.

Administrative and Appeal Rights

The final decision is not subject to appeal or objection. On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes "shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excludedunder the National Environmental Policy Act [NEPA]." As a result, the Forest Service no longer offers notice, comment, and appeal opportunities pursuant to 36 CFR 215 for categorically excluded projects such as the one covered under this Decision Memo.

Contact Information

For additional information concerning this project, contact Kathy Enna, AFMO - Fuels, at Crescent Ranger District, 136471 Hwy 97 N/ P.O. Box 208, Crescent OR 97733, or by phone at (541) 433-3200.

Responsible Official

The Responsible Official will be the District Ranger, Crescent Ranger District, Deschutes National Forest.

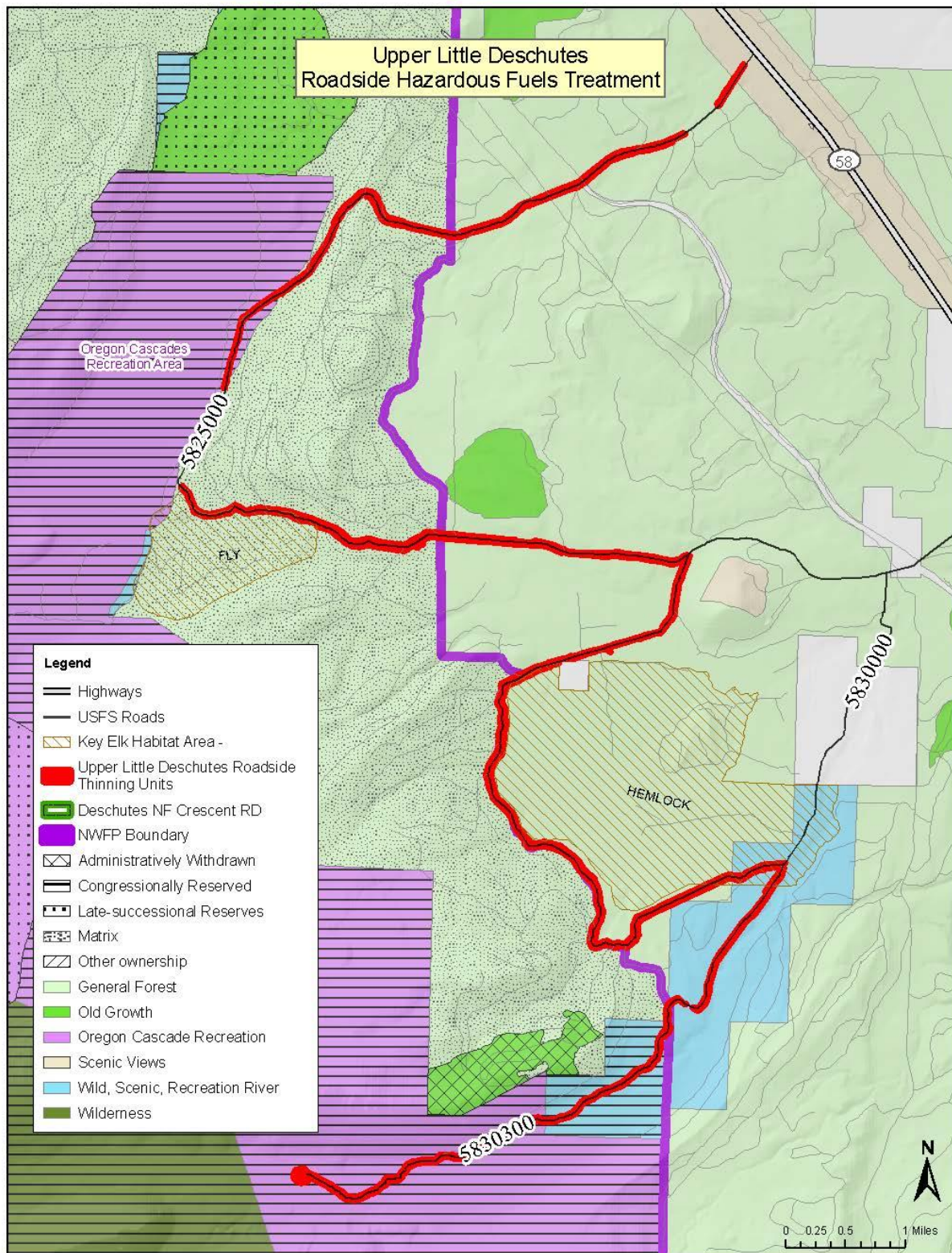


Figure 1. 2020 Upper Little Deschutes Roadside Hazardous Fuels Treatments